IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 2ND AUGUST 2007 / 11TH SRAVANA 1929

Tr.P(Crl.).No. 86 of 2006()

M.C.NO.254/04 OF FAMILY COURT, TRICHUR

PETITIONER:

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1. SHAREENA, AGED 32 YEARS,
   D/O.ABDUL SATHAR, KALLOOPPARAMBIL HOUSE,
   KONDIMATTOM DESOM, THATTEKKADU P.O. KEERAMPARA
   VILLAGE, KOTHAMANGALAM, ERNAKULAM DISTRICT.

2. EYAD MOHAMMED (MINOR), AGED 11 YEARS,
   REPRESENTED BY HIS MOTHER, SHAREENA, D/O.ABDUL
   SATHAR, KALLOOPPARAMBIL HOUSE, KONDIMATTOM DESOM,
   THATTEKKADU P.O. KEERAMPARA VILLAGE
   KOTHAMANGALAM, ERNAKULAM DISTRICT.

BY ADV. SRI.P.FAZIL

RESPONDENTS: 1

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1. NAFIUDHEEN, AGED 47 YEARS,
   S/O.FAKKER MOHAMMED, CHUNGATHU HOUSE,KANJIRANGADI
   DESOM, KOORKKANCHERRY P.O. KOORKKANCHERRY VILLAGE,
   THRISSUR TALUK, THRISSUR DISTRICT.

2. STATE OF KERALA, REPRESENTED BY THE
   PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM.

BY ADV. SRI.G.SREEKUMAR (CHELUR)
PUBLIC PROSECUTOR SRI.GIKKU JACOB

THIS TRANSFER PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON 02/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

Tr.P(Crl.).No.86 of 2006

Dated this the 2nd day of August, 2007

ORDER

The petitioners are wife and child of the 1st respondent. They had initiated proceedings before the Family Court, Trichur claiming maintenance from the 1st respondent under Section 125 Cr.P.C. There were two other proceedings between the same parties before the Family Court, Trichur. Those proceedings have already been transferred to the Family Court, Ernakulam as per order dated 21.11.06 in Tr.P(Cr.) No.268 of 2006. The petitioners pray that the last of the 3 cases - M.C.No.254 of 2004 may also be transferred to the Family Court at Ernakulam.

2. The application is opposed, but I find no merit in such opposition. Already two cases have been transferred and are pending before the Family Court at Ernakulam and I find the proposed transfer of M.C.No.254 of 2004 also to be in the interests of both the contestants. I am in the facts and circumstances of this case satisfied that in the interests of justice, the prayer for transfer can be allowed.

3. This transfer petition is, in these circumstances, allowed. M.C.No.254 of 2004 is transferred from the Family Court, Trichur to the Family Court, Ernakulam. Both parties shall appear before the

Family Court, Ernakulam on 31.08.07. The learned Judge of the Family Court, Trichur shall forthwith transmit records to the Family Court, Ernakulam. The Family Court, Ernakulam must remember the fact that the M.C has been filed as early as in 2004. The learned Judge must perceive the need for expeditious disposal of the M.C.

(R.BASANT, JUDGE)

rtr/-